

*Sub C<sup>1</sup>*

*B<sup>1</sup>*

1. (Twice Amended) A communication apparatus comprising:  
a packet transmitter for transmitting image data in packets and for selectively transmitting sound data in packets, wherein the sound data is divided into packets of invariable packet size and the image data is divided into packets of variable packet size based on the size of each sound data packet;  
a detector for detecting an amount of sound data to be transmitted in packets;  
and  
a controller for controlling the variable packet size of the packets of image data to be transmitted by said packet transmitter, according to a detection result of said detector

*Sub C<sup>2</sup>*

*B<sup>2</sup>*

13. (Twice Amended) A communication method comprising:  
a packet transmission step of transmitting image data in packets and of selectively transmitting sound data in packets, wherein the sound data is divided into packets of invariable packet size and the image data is divided into packets of variable packet size based on the size of each sound data packet;  
a detection step of detecting an amount of sound data to be transmitted in packets; and  
a control step of controlling the variable packet size of the packets of image data to be transmitted in said packet transmission step, according to a detection result of said detection step.

14. (Twice Amended) A computer-readable recording medium storing a

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program for a communication method of a communication apparatus, the program comprising:

program code for a packet transmission step of transmitting image data in packets and of selectively transmitting sound data in packets, wherein the sound data is divided into packets of invariable packet size and the image data is divided into packets of variable packet size based on the size of each sound data packet;

program code for a detection step of detecting an amount of sound data to be transmitted in packets; and

program code for a control step of controlling the variable packet size of the packets of image data to be transmitted in the packet transmission step, according to a detection result of the detection step.

#### REMARKS

This application has been reviewed in light of the Office Action dated April 24, 2001. Claims 1-14 remain pending in this application. Claims 1, 13, and 14, the only independent claims, have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

The Office Action rejected claims 1, 13, and 14 under 35 U.S.C. § 112, first paragraph, as containing subject matter not adequately described in the specification. Claims 1-3, 8-10, and 13 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,889,921 (Sugiyama et al.). Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugiyama et al. Claims 4-7, 11, and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugiyama et al. in view of U.S. Patent No. 5,375,068 (Palmer